



DEP 3 REF

Room 307

#171 Reg for
refund

07-10-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

COFFIN et al.

Atty. Ref.: 117-340

Serial No. 09/762,098

Group: 1648

Filed: June 20, 2001

Examiner: Li

For: CELL LINES FOR THE PROPAGATION OF MUTATED
HERPES VIRUSES

* * * * *

June 17, 2003

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

The Office is requested to refund the undersigned's Deposit Account No. 14-1140 for a total of \$645.00 with regard to the above. Basis for the refund request is as follows.

The present application was filed with 26 claims on February 2, 2001, after entry of the amendment filed the same day. The applicants' claimed small entity status and paid for the same.

The total effective claims after the amendment of May 6 2003, was 40 claims (claims 1, 3 to 5, 7 to 10, and 27 to 58). Three independent claims were pending after the Amendment of May 6, 2003. The applicants' cover sheet with the Amendment of May 6, 2003, indicated that 37 claims were pending and 26 had previously been paid for. In fact, as noted above, 40 claims were pending with the Amendment of May 6, 2003.

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Accordingly, the applicants should have paid for an additional 3 total number of claims over 20 which, at the small entity rate, would total an additional fee due of \$27.00

The Patent Office has however charged the undersigned's deposit account for 6 additional large entity claims over 20 in the monthly statement dated May 2003 (copy of excerpt attached). Accordingly, the Patent Office has charged the undersigned's deposit account for \$108.00 with regard to the above application.

The applicants overpaid large entity fees for the additional claims and extension fee on May 6, 2003 such that a total of \$564.00 was overpaid and should be refunded to the undersigned's deposit account.

Accordingly, the Patent Office has charged the undersigned's deposit account \$108.00 on May 12, 2003, whereas the applicants only owed an additional \$27.00 for additional claims fees. Refund of \$81.00 with regard to the additional owed claims fees is requested therefor. Moreover, half of the claims fees paid and extensions fee paid on May 6, 2003 totaling \$564.00 should also be returned to the undersigned's deposit account. The total to be returned to the undersigned's deposit account therefor is believed to be \$645.00. Refund of \$645.00 to the undersigned's deposit account number 14-1140 is therefore requested.

The Office is requested to contact the undersigned if anything further is required in this regard.

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Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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http://uspto.gov/inter/customer/sessionid=openusxard/



Deposit Account Statement

Requested Statement Month: May 2003
Deposit Account Number: 141140
Name: NIXON & VANDERHYE P.C.
Attention: LENARD MITCHARD
Address: 1100 N GLEBE ROAD
City: ARLINGTON
State: VA
Zip: 22201-4714

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/12	1	09762098	✓117-340 BJS	1202	\$108.00	\$19,499.98